

**63M-7-519 Assignment of recovery -- Reimbursement.**

- (1) By accepting an award of reparations, the victim automatically assigns to the state, subject to the provisions of Subsection (2), all claims against any third party to the lesser of:
  - (a) the amount paid by the state; or
  - (b) the amount recovered from the third party.
- (2) The board, with the concurrence of the director, may reduce the state's right of reimbursement if it is determined that:
  - (a) the reduction will benefit the fund; or
  - (b) the victim has ongoing expenses related to the offense upon which the claim is based and the benefit to the victim of reducing the state's right of reimbursement exceeds the benefit to the state of receiving full reimbursement.
- (3) The state reserves the right to make a claim for reimbursement on behalf of the victim and the victim may not impair the state's claim or the state's right of reimbursement.

Amended by Chapter 339, 2008 General Session

Renumbered and Amended by Chapter 382, 2008 General Session